



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:) Attorney Docket No.: A-1141

VICTOR RICCARDI) Group Art Unit: 3643

Serial No.: 10/622,444) Examiner: Andrea M. Valenti

Filed: July 18, 2003) Date: February 6, 2004

) Confirmation No: 7623

Title: RECYCLABLE TRAY LINER FOR WOODEN MUSHROOM-GROWING TRAYS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE

Sir:

This communication is submitted in response to the January 6, 2004 Office Action.

REMARKS

Claims 12-17 and 19 are pending in the application. In the January 6, 2004 Office Action, the Examiner required election under 35 U.S.C. § 121 to one of the following allegedly patentably distinct species of the claimed invention:

- I. Claims 12 and 13;
- II. Claims 14-17 and 19.

Applicant hereby provisionally elects to prosecute the claims of species II (claims 14-17 and 19) and reserve the right to file a divisional application or take other appropriate measures as deemed necessary to protect the invention of Species I in the